

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Huntington

Date: 10/3/2011

Case Number 3:11-cr-74

Case Style: USA vs. Nicole Blankenship

Type of hearing Sentencing

Before the honorable: 2514-Chambers

Court Reporter Teresa Ruffner

Courtroom Deputy Terry Justice

Attorney(s) for the Plaintiff or Government Michael Hissam

Attorney(s) for the Defendant(s) Lee Booten

Law Clerk Sandy Slack

Probation Officer Lee Cueva

Trial Time

Non-Trial Time

Court Time

12:14 pm to 12:33 pm

Total Court Time: 0 Hours 19 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

Hearing scheduled to commence: 11:30 am

Hearing commenced: 12:14 pm

Defendant appeared in person and with counsel pursuant to a plea to count 23 of the indictment.
Defendant sworn.

Objections to the presentence report:

1 - that the defendant was not given acceptance of responsibility - granted.

Presentence Report adopted with exception.

Plea agreement accepted.

Total offense level 13
criminal history category I

advisory guideline ranges
 custody 12 - 18 months
 sr 3 years

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fine \$3000 - 1,000,000
SA \$100

Motion of Defendant for downward variance.
Response of Government.
Comments of Government and Defendant's counsel.
Motion denied.

Custody 12 months and 1 day

The Court recommended: that the defendant be housed as close to Huntington, WV, as possible; that the defendant be allowed to participate in the Comprehensive Drug Abuse Treatment Program.

Supervised Release 3 years

special condition of supervised release: the defendant will participate in a program of testing, counseling, and treatment for drug and alcohol abuse as directed by the probation officer.

Special Assessment \$100

The special assessment will be paid through participation in the Inmate Financial Responsibility Program.

The defendant was informed of appeal rights.

Motion of United States of dismiss counts 1, 2, 5, 9, 14-18, and 24; Motion granted.

Defendant detained.

Hearing concluded: 12:33 pm